

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

| | | |
|---|---|-------------------------|
| In re: |) | Chapter 11 |
| |) | |
| MOUNTAIN EXPRESS OIL COMPANY, <i>et al.</i> , |) | Case No. 23-90147 (DRJ) |
| |) | |
| Debtors. ¹ |) | (Jointly Administered) |
| |) | |
| |) | |

**OFFICIAL COMMITTEE OF UNSECURED CREDITORS'
WITNESS AND EXHIBIT LIST**

The Official Committee of Unsecured Creditors in the above-captioned cases (the “Committee”), hereby submits the following *Witness and Exhibit List* (the “Witness and Exhibit List”) with respect to the hearing scheduled for April 14, 2023 at 10:00 a.m. (Prevailing Central Time) (the “Hearing”) in the above-captioned bankruptcy cases (the “Cases”), pending before the Honorable David R. Jones, United States Bankruptcy Judge, 1133 N. Shoreline Blvd., Corpus Christi, Texas 78401.

The Committee designates the following witnesses and exhibits that may be offered at the Hearing.

WITNESSES

1. Any witness listed, offered, or called by any other party;
2. Any witness necessary to authenticate a document; and
3. Any witness required for rebuttal or impeachment.

¹ A complete list of each of the Debtors in these Chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at www.kccllc.net/mountainexpressoil. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in these Chapter 11 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

EXHIBITS

| Exhibit No. | Description | Offered | Objection | Admitted | Disposition After Hearing |
|--------------------|---|----------------|------------------|-----------------|----------------------------------|
| A. | Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, 364, and 507, Bankruptcy Rules 2002, 4001, 6004, and 9014, and Local Rule 4001-2 (I) Authorizing the Debtors to Use Cash Collateral and Obtain Post-Petition Financing, (II) Granting Liens and Providing Super-Priority Administrative Expense Status, (III) Granting Adequate Protection, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief [Docket No. 117] (“ <u>Interim DIP Order</u> ”) | | | | |
| B. | Approved Budget [Exhibit F to Interim DIP Order] | | | | |
| C. | Stipulation and Agreed Order Regarding Certain Promissory Notes [Docket No. 194] | | | | |
| D. | Revised Proposed Order Establishing Procedures for Dealer Conversion Transactions | | | | |
| E. | Redline Comparing (i) Revised Proposed Order Establishing Procedures for Dealer Conversion Transactions to (ii) Proposed Order Establishing Procedures for Dealer Conversion Transaction [Attached to Docket No. 189] | | | | |
| F. | Any pleading on file in this case | | | | |
| G. | Any exhibits listed, designated, or offered by any other party. | | | | |
| H. | Any exhibits necessary for rebuttal | | | | |

The Committee reserves the right to modify, amend or supplement this Witness and Exhibit List at any time prior to the Hearing. The Committee reserves the right to ask the Court to take judicial notice of pleadings, orders, transcripts, and/or other documents filed in or in connection with these Cases, and to offer rebuttal exhibits. Designation of any exhibit above does not waive any objections the Committee may have to any exhibit listed on any other party's exhibit list.

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Dated: April 12, 2023
Dallas, Texas

MCDERMOTT WILL & EMERY LLP

/s/ Charles R. Gibbs

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*Proposed Counsel to the Official Committee of
Unsecured Creditors*

CERTIFICATE OF SERVICE

I certify that on April 12, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Charles R. Gibbs
Charles R. Gibbs